

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: CHAIRMAN JIM SHOCKLEY, on January 16, 2009 at 3:00 P.M., in Room 335 Capitol.

ROLL CALL

Members Present:

Sen. Jim Shockley, Chairman (R)
Sen. John Brueggeman, Vice Chairman (R)
Sen. Keith Bales (R)
Sen. Joe Balyeat (R)
Sen. John Brenden (R)
Sen. Mike Cooney (D)
Sen. Larry Jent (D)
Sen. Carolyn Squires (D)
Sen. Joseph (Joe) Tropila (D)
Sen. Jonathan Windy Boy (D)

Members Excused: Sen. Jerry W. Black (R)

Members Absent: None.

Staff Present: Dave Bohyer, Legislative Branch
Libby Goodwin, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 90, 1/9/2009; SB 155, 1/9/2009;
SB 156, 1/9/2009
Executive Action: SB 155, SB 156

HEARING ON SB 90

00:00:18 **Opening Statement by Sponsor:** SEN. VERDELL JACKSON (R),
SD 5, opened the hearing on SB 90, Clarify sponsor
notification for administrative rules.

Proponents' Testimony:

00:08:12 None.

Opponents' Testimony:

00:08:20 None.

Informational Testimony:

00:08:24 Ann Brodsky, Office of the Governor

00:11:40 Mark Cadwallader, Department of Labor and Industry
(DLI)

EXHIBIT(sts10a01)

Questions from Committee Members and Responses:

00:14:02 Sen. Balyeat
00:16:09 Sen. Jackson
00:16:39 Sen. Balyeat
00:16:53 Mark Cadwallader (DLI)
00:17:49 Sen. Balyeat
00:19:10 Sen. Brenden
00:20:06 Mark Cadwallader (DLI)
00:20:20 Sen. Squires
00:22:12 Mark Cadwallader (DLI)
00:22:25 Sen. Squires
00:23:03 Mark Cadwallader (DLI)
00:25:12 Sen. Squires
00:25:34 Sen. Cooney
00:26:11 Mark Cadwallader (DLI)
00:26:59 Sen. J. Tropila
00:27:10 Sen. Balyeat

Closing by Sponsor:

00:27:39 Sen. Jackson

HEARING ON SB 156

Opening Statement by Sponsor:

00:28:41 SEN. MIKE COONEY (D), SD 40, opened the hearing on SB
156, Revise law to coordinate certain political
candidate filing deadlines.

Proponents' Testimony:

00:30:32 Lisa Kimmert, Secretary of State's Office

[EXHIBIT\(sts10a02\)](#)

[EXHIBIT\(sts10a03\)](#)

00:32:22 Vicki Zeier, Missoula County Clerk and Recorder

00:32:51 Sheryl Wood, Montana Association of Counties (MACo)

Opponents' Testimony:

00:33:13 None.

Informational Testimony:

00:33:25 Mary Baker, Office of Commissioner of Political Practices

Questions from Committee Members and Responses:

00:34:05 None.

Closing by Sponsor:

00:34:14 Sen. Cooney

00:34:35 Recess

00:41:00 Reconvene

HEARING ON SB 155

Opening Statement by Sponsor:

00:41:04 **SEN. MIKE COONEY (D)**, **SD 40**, opened the hearing on **SB 155**, Require post-election audits of vote-counting machines.

Proponents' Testimony:

00:42:48 Linda McCulloch, Secretary of State

[EXHIBIT\(sts10a04\)](#)

00:44:35 Andrew Geiger, Montana League of Women Voters

00:46:12 Vicki Zeier, Missoula County Clerk and Recorder

00:47:41 Duane Winslow, Yellowstone County

00:48:56 Sheryl Wood, Associate Director, Montana Association of Counties (MACo)

00:49:20 Joy Bruck, AARP

[EXHIBIT\(sts10a05\)](#)

00:49:58 Kate Cholewa, Montana Common Cause

Opponents' Testimony:

00:50:35 None.

Informational Testimony:

00:50:39 None.

Questions from Committee Members and Responses:

00:50:43 Sen. Bales
00:51:21 Sen. Cooney
00:51:38 Sen. Bales
00:52:05 Sen. Cooney
00:52:56 Sen. Bales
00:53:06 Sen. Cooney
00:53:20 Sen. Balyeat
00:53:43 Sen. Cooney
00:54:09 Chairman Shockley

Closing by Sponsor:

00:54:19 Sen. Cooney

EXECUTIVE ACTION ON SB 156

00:55:00 **Motion/Vote:** SEN. COONEY moved that **SB 156 DO PASS.**
Motion carried unanimously by voice vote. Sen. Black
voted by proxy.

EXECUTIVE ACTION ON SB 155

Discussion:

00:58:08 Dave Bohyer
00:58:31 Sen. Bales

00:58:53 **Motion:** SEN. COONEY moved that **SB 155 DO PASS.**

00:59:04 **Motion:** SEN. BALES moved that **SB 155 BE AMENDED.**
EXHIBIT(sts10a06)

00:59:18 Sen. Cooney
00:59:24 Sen. Brenden
00:59:48 Sen. Shockley

01:00:02 **Vote:** Motion carried unanimously by voice vote. Sen.
Black voted by proxy.

01:00:17 **Motion/Vote:** SEN. COONEY moved that **SB 155 DO PASS AS AMENDED**. Motion carried unanimously. Sen. Black voted by proxy.

DISCUSSION ON SB 123

01:01:20 Chairman Shockley
01:01:30 Mark Cadwallader (DLI)
EXHIBIT(sts10a07)

01:01:40 Chairman Shockley

DISCUSSION ON SB 124

01:01:47 Chairman Shockley
01:01:53 Dave Bohyer
EXHIBIT(sts10a08)

01:05:16 Sen. Cooney
01:06:00 Dave Bohyer
01:06:15 Sen. Balyeat
001:07:33 Dave Bohyer
01:08:36 Sen. Balyeat
01:09:11 Dave Bohyer
01:09:46 Sen. Cooney
01:10:29 Sen. Brenden
01:10:55 Chairman Shockley
01:11:02 Sen. Brenden
01:11:10 Sen. Cooney
01:11:21 Sen. Squires
01:11:53 Dave Bohyer
01:14:11 Sen. Balyeat
01:14:56 Sen. Bales
01:15:43 Sen. Squires
01:16:30 Chairman Shockley
01:16:46 Sen. Squires
01:17:06 Vicki Zeier, Missoula County
01:17:55 Sen. Squires
01:18:04 Duane Winslow, Yellowstone County
01:18:34 Sen. Bales
01:19:34 Duane Winslow, Yellowstone County
01:20:13 Sen. Squires
01:20:59 Duane Winslow, Yellowstone County
01:21:19 Sen. Squires
01:21:31 Duane Winslow, Yellowstone County
01:21:48 Sen. Brenden
01:22:37 Duane Winslow, Yellowstone County

SENATE COMMITTEE ON STATE ADMINISTRATION

January 16, 2009

PAGE 6 of 7

01:23:09 Sen. Bales
01:23:27 Duane Winslow, Yellowstone County
01:23:49 Sen. Balyeat
01:25:20 Sen. Squires
01:25:59 Chairman Shockley
01:26:12 Sen. Squires
01:26:22 Chairman Shockley
01:27:06 Dave Bohyer
01:27:55 Chairman Shockley
01:28:05 Sen. Windy Boy
01:28:20 Sen. Jent
01:28:44 Chairman Shockley

ADJOURNMENT

Adjournment: 4:30 P.M.

LIBBY GOODWIN, Secretary

lg

Additional Exhibits:

EXHIBIT ([sts10aad.pdf](#))